ORIGINAL

FILED
August 6 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0259

STATE OF MONTANA,

Plaintiff and Appellee,

v.

FILED

AUG 0 6 2010

MOU 0 0 2010

Ed Smith

CLERK OF THE SUPREME COURT

STATE OF MONTANA

Defendant and Appellant.

NOTICE OF APPEARANCE

To: Ed Smith, Clerk of Supreme Court

SHANE PHILLIP NICKERSON,

Please note and enter the appearance of Koan Mercer, Assistant Appellate Defender, Office of State Public Defender, Appellate Defender Office, P.O. Box 200145, Helena, Montana, as appointed counsel for the Defendant named above for purposes of this appeal.

Respectfully submitted this day of August, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER Appellate Defender Office 139 N. Last Chance Gulch P.O. Box 200145 Helena, MT 59620-0145

KOAN MERCE

Assistant Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Notice of Appearance to be mailed to:

STEVE BULLOCK
Montana Attorney General
MARK MATTIOLI
Assistant Attorney General
P.O. Box 201401
Helena, MT 59620-1401

ED CORRIGAN Flathead County Attorney P.O. Box 1516 Kalispell, MT 59903-1516

SHANE NICKERSON 3004447 Montana State Prison 700 Conley Lake Road Deer Lodge, MT 59722

DATED: 8/6/2010 Such & Brade